

OPINION 660

SUPPRESSION UNDER THE PLENARY POWERS OF SEVEN SPECIFIC NAMES OF TURTLES (REPTILIA, TESTUDINES)

RULING.—(1) Under the plenary powers the following specific names are hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy :

- (a) *viridi-squamosa* Lacépède, 1788, as published in the binomen *Testudo viridi-squamosa* ;
- (b) *minor* Suckow, 1798, as published in the combination *Testudo mydas minor* ;
- (c) *flava* Lacépède, 1788, as published in the binomen *Testudo flava* ;
- (d) *meleagris* Shaw, 1793, as published in the binomen *Testudo meleagris* ;
- (e) *planitia* Gmelin, 1789, as published in the binomen *Testudo planitia* ;
- (f) *dorsata* Schoepff, 1801, as published in the binomen *Testudo dorsata* ;
- (g) *semimembranacea* Hermann, 1804, as published in the binomen *Testudo semimembranacea* ;

(2) The following specific names are hereby placed on the Official List of Specific Names in Zoology with the Name Numbers specified :

- (a) *kempii* Garman, 1880, as published in the binomen *Thalassochelys (Colpochelys) kempii* (Name No. 1903) ;
- (b) *blandingii* Holbrook, 1838, as published in the binomen *Cistuda blandingii* (Name No. 1904) ;
- (c) *temminckii* Troost, 1835, as published in the binomen *Chelonura temminckii* (Name No. 1905).
- (d) *punctularia* Daudin, 1802, as published in the binomen *Testudo punctularia* (Name No. 1906) ;
- (e) *sinensis* Wiegmann, 1835, as published in the binomen *Trionyx (Aspidonectes) sinensis* (Name No. 1907) ;
- (f) *terrestris* Forskål, 1775, as published in the binomen *Testudo terrestris* (Name No. 1908) ;
- (g) *fimbriata* Schneider, 1783, as published in the binomen *Testudo fimbriata* (Name No. 1909).

(3) The following specific names are hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology with the Name Numbers specified :

- (a) *viridi-squamosa* Lacépède, 1788, as published in the binomen *Testudo viridi-squamosa* (Name No. 747) ;
- (b) *minor* Suckow, 1798, as published in the combination *Testudo mydas minor* (Name No. 748) ;
- (c) *flava* Lacépède, 1788, as published in the binomen *Testudo flava* (Name No. 749) ;
- (d) *meleagris* Shaw, 1793, as published in the binomen *Testudo meleagris* (Name No. 750) ;

- (e) *planitia* Gmelin, 1789, as published in the binomen *Testudo planitia* (Name No. 751) ;
 - (f) *dorsata* Schoepff, 1801, as published in the binomen *Testudo dorsata* (Name No. 752) ;
 - (g) *semimembranacea* Hermann, 1804, as published in the binomen *Testudo semimembranacea* (Name No. 753) ;
 - (h) *terrestris* Fermin, 1765, as published in the binomen *Testudo terrestris* (published in a work rejected for the purposes of zoological nomenclature) (Name No. 754).
- (4) The following work is hereby placed on the Official Index of Rejected and Invalid Works in Zoological Nomenclature with the Title Number 65 :
 Fermin (P.), 1765, *Histoire naturelle de la Hollande équinoxiale*. Amsterdam.
 (a work in which the author did not apply the principles of binominal nomenclature).

HISTORY OF THE CASE (Z.N.(S.)1459)

The present case was submitted to the office of the Commission by Prof. Robert Mertens and Dr. Heinz Wermuth in May 1960. The application was sent to the printer on 22 September 1960 and was published on 16 June 1961 in *Bull. zool. Nomencl.* **18** : 211-213. Public Notice of the possible use of the plenary powers in the present case was given in the same part of the *Bulletin* as well as to the other prescribed serial publications (*Bull. zool. Nomencl.* **4** : 51-56) and to two herpetological serials.

In a note published in *Bull. zool. Nomencl.* **18** : 348, Dr. L. B. Holthuis pointed out that Fermin's 1765 work was non-binominal and that there was therefore no need to use the plenary powers to reject *Testudo terrestris*, published therein. Dr. Holthuis proposed that Fermin's book should be placed on the Official Index.

The proposals of Mertens and Wermuth were supported by Prof. Hobart M. Smith (*Bull. zool. Nomencl.* **19** : 50) and by Dr. L. D. Brongersma, who, in a letter dated 2 January 1962, drew attention to his paper "Notes upon some Sea Turtles" (*Zool. Verhandl.* No. 51) and wrote : "Two names mentioned in the proposal have been discussed by me, viz., *Testudo viridi-squamosa* Lacépède (pp. 21-26), and *Testudo mydas minor* Suckow (pp. 26-27). Although I am in favour of suppressing these names, I do not believe that they are synonyms of *Lepidochelys kempi* (Garman) as supposed by Drs. Mertens and Wermuth". Dr. Brongersma gave the reasons for his disagreement at greater length in a letter dated 2 April 1962, copies of which were circulated to the Commission during the Voting Period on the case.

DECISION OF THE COMMISSION

On 2 April 1962 the Members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (62)16 either for or against "the suppression of seven specific names of turtles as set out in paragraphs 8(1), (3)

and (4) " of *Bull. zool. Nomencl.* 18 : 213. At the close of the prescribed Voting Period on 2 July 1962 the state of the voting was as follows :

Affirmative Votes—twenty-three (23), received in the following order : Hering, Vokes, do Amaral, Obruchev, Mayr, Bradley, Boschma, Evans, Alvarado, Key, Borchsenius, Jaczewski, Uchida, Tortonese, Riley, Lemche, Miller, Brinck, Munroe, Mertens, Stoll, Kühnelt, Bonnet.

Negative Votes—none (0).

On Leave of Absence—two (2) : Holthuis, Prantl.

Commissioners Poll and Hemming returned late affirmative votes.

Commissioner Hemming made the following comment in returning his Voting Paper : " As regards the Fermin names, I consider either (i) that the application should be granted expressly without prejudice to the status of the book in which they were published or (ii) that the book should be examined and that, if it is non-binominal, the book should be put on the Official Index and the names concerned on the Official Index of Rejected and Invalid Names. A sensible course might be to grant this application, less the Fermin name, adding in the Opinion that a decision on this has been postponed to permit of the examination of the book in which it was published ".

Since a number of Commissioners, obviously having examined Fermin's book, expressed on the Voting Paper their agreement with Dr. Holthuis, it has been decided by the Secretary that Fermin's book should be placed on the Official Index in the Ruling given in the present Opinion.

ORIGINAL REFERENCES

The following are the original references for specific names placed on the Official List and Official Index by the Ruling given in the present Opinion :

blandingi, *Cistuda*, Holbrook, 1838, *N. A. Herpet., Descr. Rept. U.S.* (ed. 1) 3 : 35

dorsata, *Testudo*, Schoepff, 1801, *Naturgesch. Schildkr.* : 158, tabl. 34

fimbriata, *Testudo*, Schneider, 1783, *Allg. Naturgesch. Schildkröten* : 349

flava, *Testudo*, Lacépède, 1788, *Hist. nat. Quadrup. ovip.* 1, Synops. method. : 135, tab. 16

kempii, *Thalassochelys (Colpochelys)*, Garman, 1880, *Bull. Mus. comp. Zool. Harvard* 6 : 123

meleagris, *Testudo*, Shaw, 1793, *Natural. Misc.* : tab. 44

minor, *Testudo mydas*, Suckow, 1798, *Anfangsgr. Naturgesch. Thiere* 3 : 30

planitia, *Testudo*, Gmelin, 1789, in Linnaeus, *Syst. Nat.* (ed. 13) 1 : 1045

punctularia, *Testudo*, Daudin, 1802, *Hist. nat. gén. partic. Rept.* 2 : 249

semimembranacea, *Testudo*, Hermann, 1804, *Observ. Zool.* : 219

sinensis, *Trionyx (Aspidonectes)*, Wiegmann, 1835, *Nova Acta Acad. Caes. Leop. Carol.* 17 : 189

temminckii, *Chelonura*, Troost, 1835, in Harlan, *Med. phys. Res.* : 158

terrestris, *Testudo*, Fermin, 1765, *Hist. nat. Hollande équinox.* : 51

terrestris, *Testudo*, Forskål, 1775, *Descr. Anim.* : VIII, 12

viridi-squamosa, *Testudo*, Lacépède, 1788, *Hist. nat. Quadrup. ovip.* 1 : Synops. method. : 92

CERTIFICATE

I certify that the votes cast on Voting Paper (62)16 were cast as set out above, that the proposal set out in that Voting Paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission, is truly recorded in the present Opinion No. 660.

W. E. CHINA

Acting Secretary

International Commission on

Zoological Nomenclature

London

16 August 1962